

Meeting Notice
City of Warwick
Planning Board

Date: Wednesday, September 1, 2004

Time: 7:00 p.m.

Location: Warwick City Hall
Lower Level Conference Room
3275 Post Road
Warwick, RI 02886

Review and acceptance of August 2004 meeting minutes

Public Informational Meeting

**Major Land Development Project Master Plan Approval and
Recommendation for a Zone Change**

Heritage Court Condominiums

Applicant: Heritage Properties, LLC

Location: 3238, 3246, 3260 & 3266 West Shore Road

Assessor's Plat: 364

Lot(s): 198, 200 & 210

Zoning District: Residential A-7 change to Planned District Residential (PDR) A-7

Land Area: 4.02 Acres

Number of lots: NA

Engineer: Ocean State Planners. Inc.

Ward: 7

The applicant is requesting Master Plan Approval and a Recommendation for a Zone Change to construct a 44-unit multi-family residential condominium complex.

Planning Department Findings for the Major Land Development Project

The Planning Department finds this proposal not to be generally consistent with Article 1 “Purposes and General Statements” of the City’s Development Review Regulations, and:

The developer’s traffic analysis purports Levels of Service (LOS) “E” and “F” for the proposed northbound driveway approach at the AM/PM peak hours. This LOS is an unacceptable condition for a proposed new development and constitutes an unmitigated negative impact in direct conflict with Development Review Regulations Article 1 Section 1.1.1 c. “Purposes” which reads

“Protect existing...built environments and mitigate the significant impacts of proposed development on those environments.”

The proposed development is also in conflict with Section 1.1.1 e. “Purposes” and Section D.1.5 “Compatibility” which state:

1.1.1 e. “Promote...land development designs that are well-integrated into surrounding neighborhoods, and concentrate development in areas that can best support intensive use because of natural characteristics and existing infrastructure.”

D.1.5 “New developments must be considered in relation to their compatibility to existing conditions in any given area.” “As these undeveloped areas are subdivided [developed], they should be compatible with existing areas in order to preserve property values in the existing developments and to insure that social organization of neighborhoods area advanced.”

The proposed development is not compatible with the surrounding land-use patterns. The proposed development is a 44-unit high density multi-family residential condominium in an area where the majority of the surrounding residential development within the radius area consists of single-family dwellings on medium to large lots.

1) Not consistent with the Comprehensive Community Plan.

This proposed high density 44 unit multi-family development is in direct conflict with the following sections of the Comprehensive Plan Land Use Element:

Page 46 d. “West Shore Road - Wilde’s Corner to Post Road in Apponaug” describes this end of West Shore Road as “essentially residential” with “much of the residential development characterized by attractive and well-maintained homes and some at low densities.”

Land Use Element Residential Recommendation b. on page 94 reads:

“Promote residential densities that are compatible with existing uses and densities...”

The proposal is a 44 unit high density multi-family development proposed in an area described primarily as single-family homes on medium to low density lots.

Land Use Element page 98, 4. “Major Arterials West Shore Road (Wilde’s Corner to Post Road in Apponaug)” reads:

“Protect the Tuscatucket Brook by prohibiting incompatible use and density on adjacent sites.”

This proposed development is in conflict with the above mentioned land use policy in that it is proposing a high density 44-unit multi-family development directly adjacent to the Tuscatucket Brook wetland complex an area more suited to a medium density single family residential development.

The Transportation and Circulation Element describes traffic as “a function of land use” and states that “traffic congestion can be caused by the density of development and the types of land use activities that occur. If density of development is too intense and the transportation system that services the use is in some way limited then traffic congestion is likely.

The Transportation and Circulation Element recommends that the City:

“Carefully control development densities and the intensity of land use activities through zoning...and require traffic impact studies for all new major development.”

The developer did provide a traffic analysis which presents Levels of Service (LOS) “E” and “F” for the proposed northbound driveway approach at the AM/PM peak hours. This LOS is directly related to the type of development and the proposed density and is an undesirable and unacceptable byproduct of the proposed development.

2) Not in compliance with the standards and provisions of the City's Zoning Ordinance, therefore, requiring a City Council Zone Change to Planned District Residential (PDR) A-7.

3) That there will be no significant negative environmental impacts from the proposed development.

4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, and:

5) That the proposed development possesses adequate and permanent access to a public street.

Planning Department Recommendation

Planning Department recommendation is to deny Master Plan approval.

Planning Department Findings for the requested Zoning Amendment

The Planning Department finds this proposal not to be in compliance with the City's Comprehensive Plan including the Goals and Policies

Statement, the Implementation Program, the Land Use Element and the Transportation and Circulation Element. The Planning Department also finds the proposed zoning amendment not to be generally consistent with the following purposes of the City's Zoning Ordinance as presented in Section 100 "Title and Purpose":

103.1 Does not promote the public health, safety, and general welfare of the City.

103.2 Does not provide for a range of uses and intensities of use appropriate to the character of the city and reflects current and future needs.

103.3 Does not provide for orderly growth and development, which recognizes:

(A) The goals and patterns of land use contained in the Comprehensive Plan of the City.

(B) The natural characteristics of the land, including its suitability for use based on soil characteristics and topography.

(C) The need to shape and balance the urban and suburban development.

(E) The availability and capacity of existing and planned public and/or

private facilities

(F) The need to shape and balance urban and suburban development.

103.7 Does not provide for the protection of public investment in transportation.

103.10 Does not promote a high level of quality in design in the development of private and public facilities.

103.11 Does not promote implementation of the Warwick Comprehensive Community Plan, as amended.

Public Informational Meeting

Major Land Development Project

Wilkinson Plat

Applicant: Brian Wilkinson

Location: 1860 & 1863 West Shore Road

Assessor's Plat: 352

Lot(s): 13

Zoning District: Residential A-10

Land Area: 31,054 Square Feet

Number of lots: NA

Engineer: Peter Cipolla, PLS

Ward: 5

The applicant is requesting Master Plan Approval to construct a second two-family dwelling on a 31,054 square foot lot with less than the required land area, lot frontage, lot width and side yard setback in a Residential A-10 Zoning District.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1 “Purposes and General Statements” of the City’s Development Review Regulations, and:

- 1) Generally consistent with the Comprehensive Community Plan.**
- 2) Not in compliance with the standards and provisions of the City’s Zoning Ordinance; therefore, requiring Zoning Board of Review relief to have four residential dwelling units on a lot with less than the required land area, lot frontage, lot width and side yard setback.**

The property contains sufficient overall land area (31,054 s.f.) to accommodate the four dwelling units. However, the adjacent wetlands and associated perimeter wetlands reduces the buildable area to 18,183 s.f. thereby reducing the allowable density to three

units.

3) That there will be no significant negative environmental impacts from the proposed development.

4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, and:

5) That the proposed development possesses adequate and permanent access to a public street.

Planning Department Recommendation

The Planning Department recommendation is to grant Master Plan approval for three residential dwelling units with the following stipulations:

1) That the applicant shall receive relief for from the City's Zoning Board of Review for less than the required frontage and lot width.

2) That the developer shall relocate the proposed new structure to meet the required 25 foot side setback.

3) That a landscape plan drawn and stamped by a Rhode Island Licensed Landscape Architect which shall include “drip-line tree protection” to be installed around all existing trees along the side lots lines, buffers consisting of evergreen screening and shrubs along each side of the proposed parking area and a ten foot landscaped buffer along West Shore Road shall be approved by the City’s Landscape Project Coordinator prior to preliminary approval.

Public Meeting

Minor Subdivision for Preliminary Approval

Seaback – Berkeley Plat

Applicant: Elaine Enterprises and Scott Seaback

Location: 46 Berkeley Road

Assessor’s Plat: 220

Lot(s): 18

Zoning District: Residential A-10

Land Area: 28,916 square feet

Number of lots: 2

Engineer: Alpha Associates

Ward: 9

The applicant is requesting Preliminary Approval to subdivide one lot

totaling 28,916 square feet to create two conforming lots, one lot with an existing residence and one new lot for development on an existing street in a Residential A-10 Zoning District.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1 “Purposes and General Statements” of the City’s Development Review Regulations, and:

- 1) Generally consistent with the Comprehensive Community Plan.**
- 2) In compliance with the standards and provisions of the City’s Zoning Ordinance.**
- 3) That there will be no significant negative environmental impacts from the proposed development.**
- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, and:**
- 5) That the proposed subdivision possesses adequate and permanent access to a public street.**

Planning Department Recommendation

Planning Department recommendation is to grant preliminary approval with final approval to be through the Administrative Officer.

Public Informational Meeting

Major Subdivision with a new Street

Miga - Corona Plat

Applicant: AGIM Family Limited Partnership

Location: 80 and 94-96 Corona Street

Assessor's Plat: 270

Lot(s): 169 & 212

Zoning District: Residential A-7

Land Area: 3.28 Acres

Number of lots: 9

Engineer: Alpha Associates

Ward: 8

The applicant proposes to subdivide two existing conforming lots totaling 3.28 acres to create nine new lots with a new street; one lot with an existing residence, one lot with a two-family dwelling and seven new lot for development in a Residential A-7 Zoning District.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1 “Purposes and General Statements” of the City’s Development Review Regulations, and:

1) Generally consistent with the Comprehensive Community Plan

2) In compliance with the standards and provisions of the City’s Zoning Ordinance.

3) That there will be no significant negative environmental impacts from the proposed development.

4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, and:

5) That the proposed subdivision possesses adequate and permanent access to a public street.

Planning Department Recommendation

Planning Department recommendation is to grant Master Plan approval with the following stipulations:

1) That all utilities shall be buried underground as required in Development Review Regulations Section D.2.1 r “Utilities Underground.”

2) That the proposed sidewalk width shall be increased to six (6') feet as required in Development Review Section D.2.2 d “Reduction of Sidewalks” for sidewalks located on only one side of the street.

3) That the nonconforming garage located on record lot 9 shall be removed prior to the issuance of a building permit.

4) That an eight (8”) inch taping sleeve is required off the existing eight (8”) inch distribution line.

5) That a blow-off or a fire hydrant, if required by the Fire Marshall, shall be installed at the end of the water line.

6) That the minimum service size shall be $\frac{3}{4}$ ” or whatever is required according to the plumbing code.

7) That the developer shall contribute funds in lieu of open space based on seven additional lots as required in the Warwick Comprehensive Plan for Recreation District #6.

8) That the Warwick Fire Department shall approve the preliminary plan for potential hydrant location.

9) That the engineer shall provide drainage calculations showing that the proposed infiltration system is sufficiently sized to accommodate the additional runoff resulting from the development. All calculations must be in compliance with the City's Development Review Regulations and the RI Stormwater Management Plan.

10) Stormwater runoff shall be collected by catch basins with appropriately sized sumps and oil traps and directed into an underground infiltration system.

11) That the development plan shall depict all mature trees located within the City's Right-of-Way.

12) The development plan shall include a notation which shall read: "Drip-line tree protection shall be installed around all City trees and inspected by the City Landscape Project Coordinator prior to the issuance of a building permit."

13) That the developer shall coordinate tree preservation with the City's Landscape Project Coordinator including potential alteration of driveway and utility locations.

Public Hearing

Major Land Development Project/Subdivision Master Plan Approval

Manickas

Applicant: Estate of Andrew Manickas

Location: 2915 & 2923 Post Road

Assessor's Plat: 267

Lot(s): 203, 204 & 393

Zoning District: Residential A-7

Land Area: 29,910 Square Feet

Number of lots: Merge three lots into one lot

Engineer: Ocean State Planers, Inc.

Ward: 7

The applicant is requesting Master Plan approval of a Major Land Development to merge 3 lots with two existing structures to establish six residential dwelling units (existing) with less than the required front and side yard setbacks and less than the required aisle width for parking in a Residential A-7 Zoning District.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations and

1) Generally consistent with the Comprehensive Community Plan

2) Not in compliance with the standards and provisions of the City's Zoning Ordinance, requiring Zoning Board approval to have six residential dwelling units with less than the required front and side yard setbacks and less than the required aisle width for parking.

3) That there will be no significant negative environmental impacts from the proposed development.

4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, and:

5) That the proposed subdivision possesses adequate and permanent access to a public street.

Planning Department Recommendation

Planning Department recommendation is to grant Master Plan approval with the following stipulations:

1) That the applicant shall be required to receive the necessary Zoning Board of Review approval to have six residential dwelling units with less than the required front and side yard setbacks and less than the required aisle width for parking.

2) That the preliminary site plan shall include all existing parking including parking located on the south side of 2905 Post Road.

3) That the preliminary plan shall clearly indicate all improvements including, but not limited to, extent of pavement rehabilitation, landscaping and other improvements.

4) That all existing and proposed utilities including, but not limited to, sanitary sewerage, storm drains, water, electrical. (In particular several manhole covers depicted on the site plan must be identified.)

5) That stormwater runoff from roof drains shall be collected and infiltrated via drywells or similar leaching facilities due to the proximity to Gorton's Pond, a RIDEM water body target for Total Maximum Daily Loading (TMDL).

6) That the preliminary site plan shall identify all large trees on site and shall indicate those to remain and to be removed.

7) That a landscape plan shall be prepared by a Rhode Island Licensed Landscape Architect which shall include landscape frontage on Post Road, new trees adjacent to the parking lot and landscape areas around and between buildings. Said plan shall also include a drip line tree protection detail for the entire limit of work which shall be installed prior to the disturbance of any existing

vegetation.

8) That final approval shall be contingent upon a detailed plan to be approved by the Warwick Water Department outlining the water requirements for the structures.

Public Hearing

Major Land Development Project/Subdivision Master Plan Approval

Wave Credit Union

Applicant: Wave Credit Union

Location: Greenwich Avenue & Shalom Drive

Assessor's Plat: 271

Lot(s): 186

Zoning District: General Business

Land Area: 2.7 Acres

Number of lots: 2

Engineer: Crossman Engineering Inc.

Ward: 8

The applicant is requesting Master Plan approval to subdivide one lot to create two new lots, one lot with an existing retail building with less than the required parking and landscaping and one lot for the construction of a new bank building with less than the required

parking on an existing street in a General Business zoning district.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1 “Purposes and General Statements” of the City’s Development Review Regulations, and:

- 1) Generally consistent with the Comprehensive Community Plan.**
- 2) Not in compliance with the standards and provisions of the City’s Zoning Ordinance; therefore, requiring Zoning Board of Review relief to have a retail building with less than the required parking and landscaping and a new bank building with less than the required parking.**
- 3) That there will be no significant negative environmental impacts from the proposed development.**
- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, and:**
- 5) That the proposed subdivision possesses adequate and permanent access to a public street.**

Planning Department Recommendation

Planning Department recommendation is to grant Master Plan approval with the following stipulations:

- 1) That the proposed new bank building shall provide the minimum required parking spaces in accordance with the City of Warwick Zoning Ordinance.**
- 2) That the applicant shall be required to receive the necessary Zoning Board of Review approval to have a retail building with less than the required parking and landscaping.**
- 3) That the applicant shall all consider providing limited access between the proposed two lots in order to relieve traffic flow along Greenwich Avenue.**
- 4) That the preliminary site plan shall include all dimensions for the property.**
- 5) That the preliminary plan shall clearly indicate all existing and proposed utilities including, but not limited to, sanitary sewerage, storm drains, water, electrical.**

6) That the design engineer shall make every effort to minimize stormwater runoff and improve water quality for both the existing and proposed use due to the proximity to the Pawtuxet River, a RIDEM water body target for Total Maximum Daily Loading (TMDL).

7) That a landscape plan shall be prepared by a Rhode Island Licensed Landscape architect which shall include two additional shade trees on the interior island to the rear of the proposed building, additional large deciduous trees along Shalom Drive, relocation of the low evergreen hedge away from the edge of the parking lot and substitute plants that will effectively screen the parking lot from Greenwich Avenue (all shrubs to be minimum three (3') feet). Said plan shall also include signage locations, drip line tree irrigation in the planting strip along the southern edge of the development, bollards to protect trees, revised staking details replacing hose and wire with arbor tape, and planting details specifying screened loam and compost mixture (75% loam/25% compost) to be added into planting beds.

8) That a flow test shall be performed prior to preliminary approval to determine if there is sufficient water pressure and volume to service the proposed new building.

Public Hearing

Major Subdivision on an Existing Street

Cottage Grove Plat

Applicant: John and Elaine Greene

Location: 79 Cottage Grove Avenue

Assessor's Plat: 362

Lot(s): 140 & 142

Zoning District: Residential A-7

Land Area: 12,800 Square Feet

Number of lots: 2

Engineer: Flynn Surveys Inc.

Ward: 6

The applicant is requesting a combined preliminary/final approval to subdivide two undersized merged lots totaling 12,800 square feet to create two new lots, one undersized lot with an existing dwelling and one new undersized nonconforming lot for development on an existing street in a Residential A-7 zoning district.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations, and:

- 1) Generally consistent with the Comprehensive Community Plan.**
- 2) In compliance with the standards and provisions of the City's Zoning Ordinance having received a Zoning Board of Review variance (Petition # 9008) to create two new lots, one undersized nonconforming lot with an existing dwelling and one new undersized nonconforming lot for development on an existing street in a Residential A-7 zoning district.**
- 3) That there will be no significant negative environmental impacts from the proposed development.**
- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, and:**
- 5) That the proposed subdivision possesses adequate and permanent access to a public street.**

Planning Department Recommendation

The Planning Department recommendation is to grant a combined preliminary/final approval.

Public Hearing

Major Subdivision on an Existing Street

Rayhill Hollis Plat

Applicant: Desiree Perry & James Feeney, III

Location: 23 Hollis Avenue

Assessor's Plat: 362

Lot(s): 326, 330 & 332

Zoning District: Residential A-7

Land Area: 12,800 Square Feet

Number of lots: 2

Engineer: Alpha Associates

Ward: 6

The applicant is requesting a combined preliminary/final approval to subdivide three undersized merged lots totaling 12,800 square feet to create two new lots, one undersized lot with an existing dwelling and one new undersized lot nonconforming lot for development on an existing street in a Residential A-7 zoning district.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations, and:

- 1) Generally consistent with the Comprehensive Community Plan.**
- 2) In compliance with the standards and provisions of the City's Zoning Ordinance having received a Zoning Board of Review variance (Petition # 8980) to create two new lots, one undersized nonconforming lot with an existing dwelling and one new undersized nonconforming lot for development on an existing street in a Residential A-7 zoning district.**
- 3) That there will be no significant negative environmental impacts from the proposed development.**
- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, and:**
- 5) That the proposed subdivision possesses adequate and permanent access to a public street.**

Planning Department Recommendation

Planning Department recommendation is to grant a combined preliminary/final approval with the stipulation that both properties shall tie into the Warwick Sewer System prior to the issuance of a

Certificate of Occupancy.

Administrative Subdivisions

Re-plat of Harbor Bluffs Plat: 209 Lots: 23, 24 & 25